

## ETHICS – THE FIRST SIXTY DAYS!

On September 1<sup>st</sup>, I arrived in Nashville from upstate New York as the newly appointed executive director of the newly created Tennessee Ethics Commission. I had no staff, no permanent office, no home, and no real understanding of Tennessee politics and government. Nonetheless, I had a mandate to have a functional Commission up and operating prior to the start of the Commission's legal existence of October 1<sup>st</sup> at which time lobbyists and employers would have to register and new gift provisions implemented.

For anyone who has read a newspaper or watched television news in the state, the Tennessee Waltz scandal created an atmosphere of introspection and action for the political leaders of Tennessee. The drive to bring about reform enabled the Legislature and the Governor to enact, after much debate and energy, the Ethics Reform Act that created an independent Tennessee Ethics Commission.

Armed with a wealth of "ethics" experience from New York where I was general counsel to that state's ethics commission but little else in traditional resources, I embarked on my mission.

Fortunately, I had the support of my commissioners who were willing to select an outsider to run the Commission. Second, I had the assistance of numerous State officials, and particularly Secretary of State Riley Darnell and his staff, who helped me find qualified employees, program my computer and purchase supplies.

My first assignment was to hire staff. I spent three days from morning to evening interviewing potential lawyers, assistants and receptionists. Besides the question of, "How quickly can you start?", I found individuals who shared my enthusiasm to start a brand new commission. A team of five employees was formed by mid-September to assist me in my efforts.

Second, we wrote every lobbyist and employer that had registered in previous years informing them of new filing requirements and how to contact us with questions. Our borrowed phones started ringing off the hook.

Third, I met with almost every major politician and high ranking government official. Unlike New York, where such officials barricade themselves behind gatekeepers, everyone provided me a meaningful introduction. I met with lobbyists, lawyers and state employees. I talked with every reporter even when I was back in Albany finishing up the loose ends of my prior job.

My team spent long hours answering questions and providing legal and technical advice. One morning, both my assistant and I looked particularly bleary eyed and anxious that when the first lobbyists registered electronically on October 1st, they would find the system "down" or, even worse, a blank screen.

So, what happened in the first 60 days? Electronic filing for lobbyists was a success. We have 415 registered lobbyists and 600 registered employers and the number will grow as the community appreciates the Commission's seriousness and with the start of the legislative session when new lobbying contracts are created.

The Commission's website, [www.state.tn.us/sos/tec](http://www.state.tn.us/sos/tec), has grown exponentially and is a wealth of information for the public, officials, lobbyists and employers. The public can view lobbyist registrations, the list of registered employers, invitations sent by lobbyists to all members of the legislature and numerous other items.

The Commission will shortly issue three advisory opinions about such issues as when must attorneys register as lobbyists. Drafts of opinions are available for review on the Commission's website. Our first permanent regulations are ready for public review and Commission vote. Staff and I have already conducted ethics training for local officials, accountants, State managers and lawyers. In January, we will conduct mandatory ethics training for all members of the General Assembly. Each day brings new growth for the Commission.

While much has been accomplished in the first 60 days, the Commission cannot rest on these laurels. There is much to be done; for example, all local officials must file a disclosure statement with the Commission by January 31<sup>st</sup>. The public must be demanding but patient as we endeavor to meet our mandates.

It has been quite the first 60 days. And, yes, I now have a Nashville home.